



07-10-02

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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Number: **EK 916811788 US** Date of Deposit: **July 8, 2002**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20231.

Typed or Printed Name: **DARRYL KRINER**

Signed:

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.

A-67653/RFT/AMS

First Named Inventor

MASON, Robert J., et al.

Examiner Name

B. Brumback

Group/Art Unit

1642

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This is a request for ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d),

(continued prosecution application (CPA)) of prior application number

09/230,955

filed on February 4, 1999

, entitled Assessment of Cervical Cells

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000.

A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☒ Enter the unentered amendment previously filed on April 5, 2002
under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☒ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
.....
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
Total Claims (37 C.F.R. §1.16(c) or (j))	7	-20 =	0	X \$	\$ 0
Independent Claims (37 C.F.R. §1.16(b) or (i))	4	-3 =	1	X 84\$	\$ 84
Multiple dependent claims (if applicable) (37 C.F.R. §1.16(d))			+	\$	\$
				BASIC FEE (37 C.F.R. §1.16)	\$ 740
				TOTAL OF ABOVE CALCULATIONS =	\$ 824
Reduction by 50% for filing by small entity. (Note 37 C.F.R. §§1.9, 1.27, & 1.28).				-	\$ 412
				TOTAL =	\$ 412

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
- b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge any deficiency in the following fees to Deposit Account No. 06 - 1300 (Order No. A-67653/RFT)

- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.
- c. ☐ Fees required under 37 C.F.R. § 1.18

8. ☒ A check in the amount of \$412.00 is enclosed

9. ☒ Other: •Return postcard

10. ☒ Conditional Petition for Extension of Time: An extension of time for one **additional** month is requested in the present and/or above-referenced parent application to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

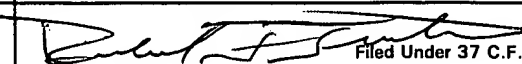
☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

Name	DORSEY & WHITNEY LLP				
Address	4 Embarcadero Center, Suite 3400				
City	San Francisco	State	CA	Zip Code	94111-4187
Country	USA	Telephone	415-781-1989	Fax	415-398-3249

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Richard F. Trecartin
Signature	 Filed Under 37 C.F.R. Section 1.34(a)
Registration No. (Attorney/Agent)	31,801
Date	July 8, 2002